

Notice of Allowability

Application No.

09/940,771

Applicant(s)

KRYLOFF ET AL.

Examiner

Mary J. Steelman

Art Unit

2191

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 3 January 2005, 9 May 2005.
2. ☒ The allowed claim(s) is/are 1-13.
3. ☒ The drawings filed on 03 January 2005 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 7 January 2005
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____



TUAN DAM
SUPERVISORY PATENT EXAMINER

DETAILED ACTION

1. This Office Action is in response to amendment filed 3 January 2005. Per Applicant's request, the title has been amended. The Abstract has been amended. The Specification has been amended. Claims 9, 14, and 19 have been amended. Subsequently by Examiner's Amendment, noted later in this document, claims 1-13 remain pending, while claims 14-20 have been canceled.

Terminal Disclaimer

2. Examiner notes the receipt of a Terminal Disclaimer in favor of US Patent 6,289,509. In view of the submitted Terminal Disclaimer, the prior Double Patenting rejection is hereby withdrawn.

Information Disclosure Statement

3. IDS submitted 1/07/2005 has been considered.

Drawings

4. In view of the Replacement Drawings the prior objections to the drawings is hereby withdrawn.

Specification

5. In view of the amendments and remarks, the prior objections to the Specification are hereby withdrawn.

Claim Objections

6. In view of the amendment to claim 9, the prior objection is hereby withdrawn.

EXAMINER'S AMENDMENT

7. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Joseph M. Barich, Reg. No. 42,291, on 9 May 2005.

The application has been amended as follows:

IN THE CLAIMS

Claims 14-20 (Canceled)

Allowable Subject Matter

8. The following is an examiner's statement of reasons for allowance:

As Applicant has pointed out on page 16, last paragraph, of Remarks, regarding independent claim 1 and similarly recited in independent claim 8, neither Lee, Miller nor Iyer or other cited prior arts, take alone or in combination, teach "sorting the old version of data with the data processor alphabetically according to the established alphabet to create a first sorted list of words and maintaining a pointer for each element of the first sorted list of words indicating the element's original location in the old version of data."

Thus dependent claims 2-7 and 9-13 are allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mary Steelman, whose telephone number is (571) 272-3704. The examiner can normally be reached Monday through Thursday, from 7:00 AM to 5:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan

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Q. Dam can be reached at (571) 272-3695. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

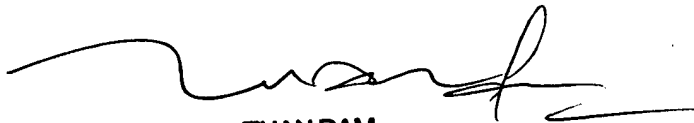
Any inquiry of a general nature or relating to the status of this application should be directed to the TC 2100 Group receptionist: 571-272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mary Steelman



05/10/2005



TUAN DAM
SUPERVISORY PATENT EXAMINER

REPLACEMENT SHEET

TITLE: SOFTWARE PATCH GENERATOR
INVENTOR: Kryloff et al.
APPL. NO: 09/940,771
CONF NO: 8038; DOCKET NO: 16004US01
ATTY: Rushman; PHONE: 312-775-8000

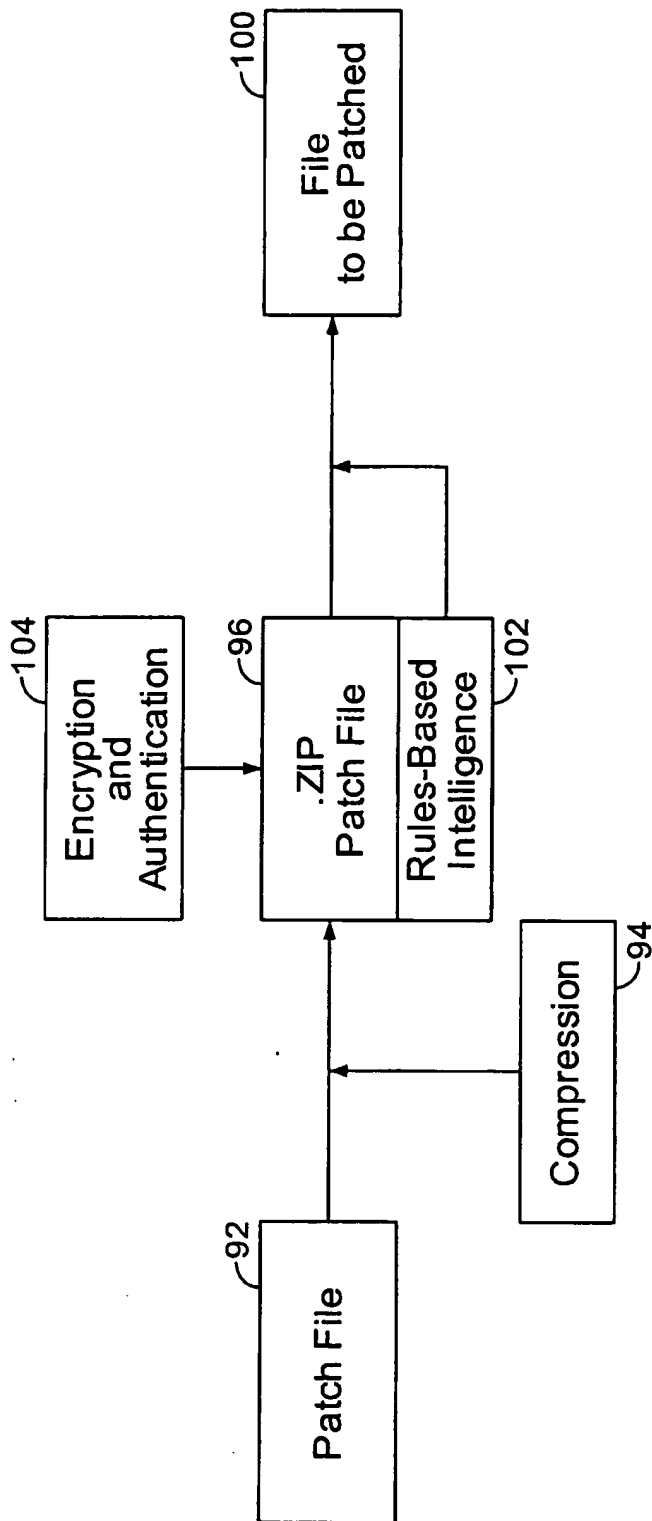


FIG. 13



Accepted by Examiner 5.5.05 M.S.

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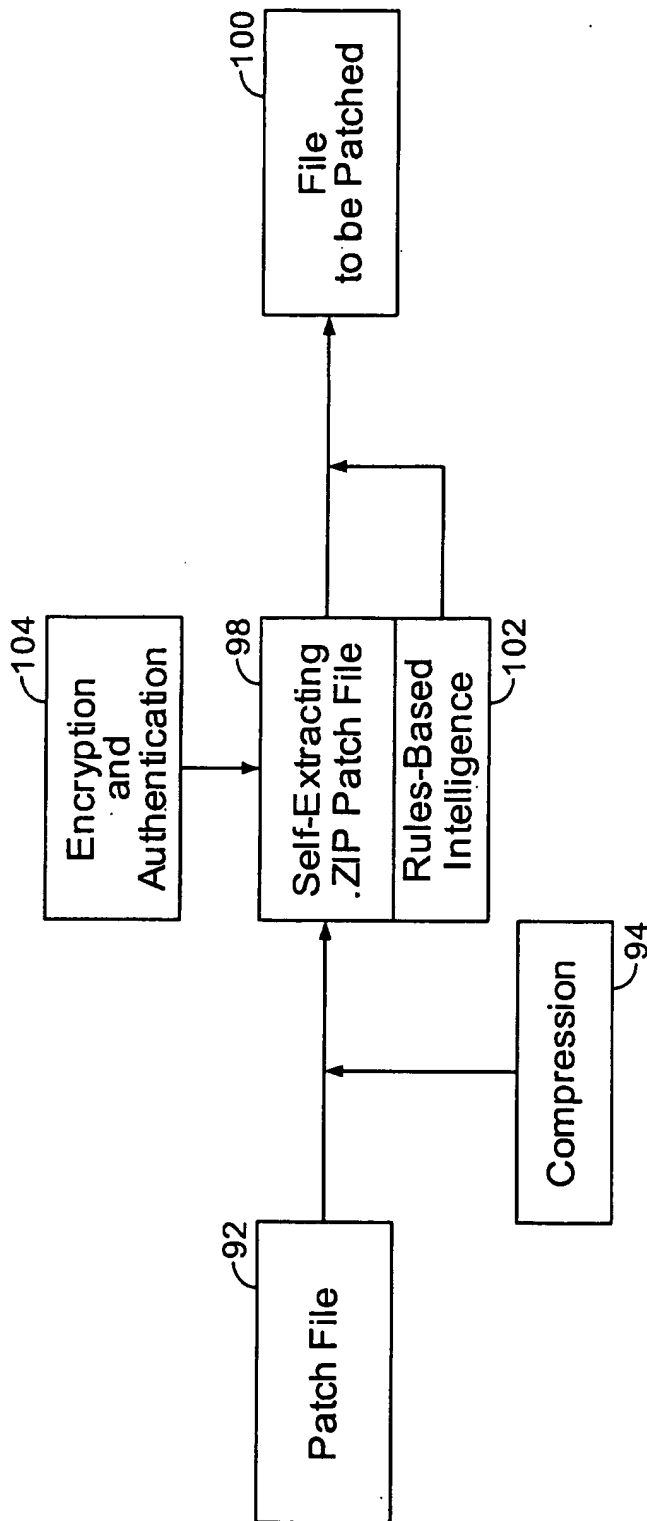


FIG. 14



Accepted by Examiner
5.5.05 ms